

Appl. No. 09/501,876
Amendment dated May 2, 2005
Reply to Office Action of January 31, 2005

REMARKS

Applicants have received and reviewed an Office Action dated September 9, 2005. By way of response, Applicants have amended claims 77, 78, 83, 84, 86-88, and canceled without prejudice claims 85 and 89-97. No new matter is presented. Applicants submit claims 77-84 and 86-88 are supported by the specification including the original claims.

For the reasons given below, Applicants submit the newly presented claims are in condition for allowance and notification to that effect is earnestly solicited.

Claim Amendments

Applicants have amended claim 77 to recite a method to wash wares comprising "providing a third sink containing a liquid composition." This amendment finds support in the specification at least at page 7, lines 14-16.

Claim 77 also recites a method to wash wares wherein the wares are contacted with the composition in the third sink. This amendment finds support in the specification at least at page 7, lines 14-16, page 8, lines 25-28, and page 10, lines 25-26.

Claim 77 also recites a method to wash wares wherein the liquid composition is replaced or replenished when the dye-color is nearly or completely absent, and the wares are then washed in the replenished third sink. This claim amendment finds support in the specification at least at page 6, lines 27-29.

Claim 77 also recites a method to wash wares wherein the ware is permitted to dry without contact with mechanical action or an aqueous solution. This claim amendment is supported at least by claim 41 as originally filed, and the specification at least at page 8, lines 27-30.

Applicants have amended claim 78 to recite a composition for washing wares including "dishwashing ware, glass or metal ware, including plates, cups, and coffee mugs or cups." This amendment finds support in the specification at least at page 10, lines 16 and 30, and page 11, lines 3-5.

Applicants have amended claim 83 to recite "a third sink used for washing wares containing an aqueous cleaning composition." This claim amendment is supported by the specification at least at page 7, lines 14-16.

Appl. No. 09/501,876
Amendment dated May 2, 2005
Reply to Office Action of January 31, 2005

Applicants have amended claims 84 and 86-88 to recite a "third sink" in order to properly depend from claim 83.

Claim Rejections

The Examiner rejected claims 77, 82, 83, and 89 under 35 U.S.C. § 103(a) as obvious over Holdt et al. (US 4,683,072) in view of Kitko et al. (US 4,248,827). The Office Action rejected claims 78-81, 84, and 90-97 under 35 U.S.C. § 103(a) as obvious over Holdt and Kitko as applied above, and further in view of Gladfelter (U.S. 5,358,653 and Na et al. (U.S. 6,037,318). Applicants respectfully traverse these rejections.

Applicants have amended independent claims 77 and 83. The claim amendments are discussed above. The presently claimed invention recited is not obvious in light of these references for several reasons, as discussed below.

Holdt et al. teach cleaner and disinfectant tablets suitable for use in toilet flush tanks (col. 1, lines 48-49). The invention disclosed in Kitko et al. is method of treating a flush toilet, with a hypochlorite sanitizing agent used each time the toilet is flushed (col. 2, lines 5-8).

The presently claimed invention includes a method for washing wares, such as dishwashing ware, glass or metal ware, including plates, cups, and coffee mugs or cups, and a third sink. The cited references fail to disclose or suggest a composition used to wash wares in a third sink, as recited by independent claims 77 and 83. One skilled in the art would not believe a toilet bowl was interchangeable with a third sink within which wares are washed. It would not be obvious to one skilled in the art that a composition that disinfected and prevented lime and rust deposits on toilets and urinals would be gentle enough to use in connection with ware washing. Unprotected hands touch wares and not toilet water. These references fail to disclose or suggest a composition or a method of using a composition used to wash wares in a third sink, as recited by claims 77 and 83.

Holdt et al. and Kitko et al. also fail to teach claim 77 as currently amended. Claim 77 recites "providing a third sink containing said liquid composition," and also recites additional steps of washing wares. Neither reference teaches or discloses washing wares in any fashion in a third sink. For at least this reason, claim 77 is not obvious in view of these references.

Appl. No. 09/501,876
Amendment dated May 2, 2005
Reply to Office Action of January 31, 2005

For at least these reasons, Applicants believe independent claims 77 and 83 and their dependents are not obvious in view of these references. Applicants respectfully request withdrawal of this rejection.

As discussed above, independent claims 77 and 83 are not obvious in view of Holdt and Kitko. In addition, Gladfelter and Na et al. fail to remedy the shortcomings of Kitko and Holdt.

For at least these reasons, Applicants believe the newly presented claims are in form for allowance. Applicants respectfully request withdrawal of this rejection.

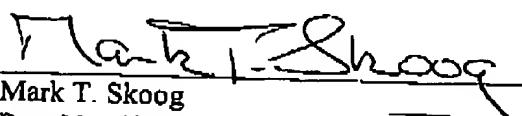
Summary

In summary, Applicants submit that each of claims 77-84 and 86-88 are in condition for allowance. The Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this application.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: January 9, 2006


Mark T. Skoog
Reg. No. 40,178
MTS:HJK